

**SIXTY-EIGHTH LEGISLATIVE DAY
FRIDAY, MARCH 19, 2004**

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused -- Bauer, Trail. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Laura Cox, Page.

Approval of Journal

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Sixty-seventh Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

March 18, 2004

Mr. Speaker:

I return herewith **H 616, H 739, H 753, H 602, H 696**, as amended, **H 592, H 634**, as amended, **H 609**, as amended, **H 686, H 645, H 620, H 799**, as amended, **H 837, H 838, H 839, H 840, H 841, H 801, H 805, H 820, H 821, H 512**, as amended, and **H 638** which have passed the Senate.

WOOD, Secretary

H 616, H 739, H 753, H 602, H 696, as amended, **H 592, H 634**, as amended, **H 609**, as amended, **H 686, H 645, H 620, H 799**, as amended, **H 837, H 838, H 839, H 840, H 841, H 801, H 805, H 820, H 821, H 512**, as amended, and **H 638** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 18, 2004

Mr. Speaker:

I return herewith **H 528**, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate, **H 745**, as amended in the Senate, and **H 755**, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 528, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate,

H 745, as amended in the Senate, and **H 755**, as amended in the Senate, were ordered held at the Desk.

Mr. Eberle asked unanimous consent that the House concur in the Senate amendments to **H 528**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Campbell asked unanimous consent that the House concur in the Senate amendments to **H 539**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Bolz asked unanimous consent that the House concur in the Senate amendments to **H 603**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Denney asked unanimous consent that the House concur in the Senate amendments to **H 780**, as amended in the Senate, and **H 544**, as amended, as amended in the Senate. There being no objection, it was so ordered.

Mr. Raybould asked unanimous consent that the House concur in the Senate amendments to **H 745**, as amended in the Senate. There being no objection, it was so ordered.

Mr. Stevenson asked unanimous consent that the House concur in the Senate amendments to **H 755**, as amended in the Senate. There being no objection, it was so ordered.

H 528, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate, **H 745**, as amended in the Senate, and **H 755**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

At this time, Mr. Denney took the Chair.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 27** and House Amendments to **S 1293** and **S 1444**.

FIELD(18), Chairman

HJM 27 was filed for second reading.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 616, H 739, H 753, H 602, H 696**, as amended, **H 592, H 634**, as amended, **H 609**, as amended, **H 686, H 645, H 620, H 799**, as amended, **H 837, H 838, H 839, H 840, H 841, H 801, H 805, H 820, H 821, H 512**, as amended, and **H 638**.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 616**,

H 739, H 753, H 602, H 696, as amended, **H 592, H 634**, as amended, **H 609**, as amended, **H 686, H 645, H 620, H 799**, as amended, **H 837, H 838, H 839, H 840, H 841, H 801, H 805, H 820, H 821, H 512**, as amended, and **H 638**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 495, H 549, H 540, H 569, H 622, H 618, H 614, H 615, H 571, H 642, H 644, H 623, H 700, H 516, H 649, H 663, H 511, H 558**, as amended, **H 559, H 563, H 608, H 474, H 475, H 568, H 762, H 763, H 764, H 766, H 767, H 668, H 519, H 593, H 661, H 643, H 581**, and **H 524**, as amended in the Senate, to the Governor at 5 p.m., as of this date, March 18, 2004.

FIELD(18), Chairman

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 18, HCR 55**, and **HCR 44** to the Secretary of State at 4:38 p.m., as of this date, March 18, 2004.

FIELD(18), Chairman

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1441** and recommend that it do pass.

DEAL, Chairman

S 1441 was filed for second reading.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **S 1422**, as amended, and recommend that it do pass.

CROW, Chairman

S 1422, as amended, was filed for second reading.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **S 1346**, as amended, **S 1347, S 1361, S 1363, S 1351**, as amended, and **S 1322** and recommend that they do pass.

BARRACLOUGH, Chairman

S 1346, as amended, **S 1347, S 1361, S 1363, S 1351**, as amended, and **S 1322** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 843 BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO WATER AND MONEYS FOR REMEDIATION; PROVIDING LEGISLATIVE INTENT; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2004; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION FOR THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2004; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2004; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION FOR THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2004; APPROPRIATING AND TRANSFERRING GENERAL FUND MONEYS TO THE WATER MANAGEMENT FUND FOR FISCAL YEAR 2004; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2005; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION FOR THE DEPARTMENT OF COMMERCE FOR FISCAL YEAR 2005; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2005; AUTHORIZING AN ADDITIONAL FULL-TIME EQUIVALENT POSITION FOR THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2005; APPROPRIATING ADDITIONAL DEDICATED FUND MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2005; APPROPRIATING AND TRANSFERRING GENERAL FUND MONEYS TO THE REVOLVING DEVELOPMENT FUND FOR FISCAL YEAR 2005; AND DECLARING AN EMERGENCY FOR SECTIONS 1 THROUGH 6 OF THIS ACT.

HOUSE BILL NO. 844 BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO ROADS AND RIGHTS-OF-WAY; AMENDING CHAPTER 2, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-204B, IDAHO CODE, TO GRANT ORDINANCE AUTHORITY TO A BOARD OF COUNTY COMMISSIONERS TO ESTABLISH A PROCESS AND CONDITIONS FOR THE PURPOSE OF DETERMINING THE STATUS, REGULATION AND LOCATION OF FEDERALLY-GRANTED RIGHTS-OF-WAY ASSERTED TO EXIST WITHIN THE JURISDICTION OF THE COUNTY, TO PROVIDE EXCLUSIVE JURISDICTION OF COUNTY COMMISSIONERS WITH AN EXCEPTION, TO PROVIDE A PROCEDURE, TO PROVIDE FOR RECORDING A DETERMINATION, TO PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE DUTIES AND PROCEDURES REGARDING PHYSICAL BARRIERS AND BLOCKED ACCESS, TO AUTHORIZE THE STATE BOARD OF LAND COMMISSIONERS TO MAKE AN INDEPENDENT

DETERMINATION OF THE EXISTENCE OF A FEDERALLY-GRANTED RIGHT-OF-WAY ON STATE ENDOWMENT LANDS, TO PROVIDE FOR CRIMINAL AND CIVIL TRESPASS, TO DEFINE "FEDERALLY-GRANTED RIGHT-OF-WAY," TO PROVIDE FOR REPORTING TO THE LEGISLATURE AND TO PROVIDE FUNDING; PROVIDING A SUNSET CLAUSE AND PROVIDING FOR EFFECT OF AN ORDINANCE ADOPTED UNDER THE PROVISIONS OF THIS SECTION; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 845
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO IDAHO COMMEMORATIVE SILVER MEDALLIONS; AMENDING SECTION 67-1223, IDAHO CODE, TO AUTHORIZE THE STATE TREASURER TO MAKE ARRANGEMENTS FOR THE PROMOTION OF MEDALLIONS AND TO RETAIN AMOUNTS FROM THE SALE OF MEDALLIONS AS NECESSARY TO REPAY THE STATE TREASURER FOR PROMOTION COSTS INCURRED; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 846
BY WAYS AND MEANS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2005 AND DIRECTING THE STATE TREASURER TO REPAY THE GENERAL FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE STATE TREASURER FOR FISCAL YEAR 2005.

HOUSE BILL NO. 847
BY APPROPRIATIONS COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION/STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2005; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS; AND AMENDING CHAPTER 15, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1513, IDAHO CODE, TO PROVIDE FEES.

H 843, H 844, H 845, H 846, and H 847 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1293, as amended in the House, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

S 1444, as amended in the House, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 56, by Ways and Means Committee, was read the second time by title and filed for third reading.

SCR 132, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1393, as amended, **S 1389**, and **S 1435**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

S 1445, by Finance Committee, was read the second time by title and filed for third reading.

H 635, as amended in the Senate, by Resources and Conservation Committee, was read the second time by title and filed for third reading.

H 586, as amended in the Senate, by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

H 651, as amended, as amended in the Senate, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 693, as amended in the Senate, by State Affairs Committee, was read the second time by title and filed for third reading.

S 1317, as amended, and **S 1290**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

HJM 26 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Smylie to open debate.

The question being, "Shall **HJM 26** be adopted?"

Whereupon the Speaker Pro Tem declared **HJM 26** adopted by voice vote and ordered the memorial transmitted to the Senate.

H 842 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Meyer to open debate.

The question being, "Shall **H 842** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Clark,

Collins, Crow, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalc, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 65.

NAYS -- None.

Absent and excused -- Bauer, Bradford, Cuddy, Trail, Mr. Speaker. Total -- 5.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 842** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

SCR 128 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Lake to open debate.

At this time, the Speaker returned to the Chair.

The question being, "Shall **SCR 128** be adopted?"

Whereupon the Speaker declared **SCR 128** adopted by voice vote and ordered the resolution returned to the Senate.

SCR 127 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Lake to open debate.

The question being, "Shall **SCR 127** be adopted?"

Whereupon the Speaker declared **SCR 127** adopted by voice vote and ordered the resolution returned to the Senate.

S 1313, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **S 1313**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Bolz, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Roberts,

Robison, Rydalc, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- Naccarato. Total -- 1.

Absent and excused -- Bauer, Boe, Bradford, Field(18), Kellogg, Moyle, Ringo, Trail. Total -- 8.

Total -- 70.

Whereupon the Speaker declared **S 1313**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1269, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ridinger to open debate.

The question being, "Shall **S 1269**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bell, Black, Block, Bolz, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Douglas, Edmunson, Ellsworth, Eskridge, Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Lake, Langford, Langhorst, Martinez, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Rydalc, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 52.

NAYS -- Barrett, Bedke, Denney, Eberle, Kulczyk, McGeachin, McKague, Roberts, Sali, Schaefer, Wood. Total -- 11.

Absent and excused -- Bauer, Boe, Bradford, Field(18), Kellogg, Moyle, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1269**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1280, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sali to open debate.

The question being, "Shall **S 1280**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Block, Boe, Bolz, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalc, Sali, Sayler, Schaefer, Shepherd, Shirley,

Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 62.

NAYS -- Barrett, Wood. Total -- 2.

Absent and excused -- Bauer, Black, Bradford, Edmunson, Kellogg, Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1280**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1301, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mitchell to open debate.

The question being, "Shall **S 1301**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Block, Boe, Bolz, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Black, Bradford, Deal, Edmunson, Kellogg, Roberts, Trail. Total -- 9.

Total -- 70.

Whereupon the Speaker declared **S 1301**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1418 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Ring to open debate.

The question being, "Shall **S 1418** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Bradford, Kellogg, Moyle, Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1418** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1323, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Jones to open debate.

The question being, "Shall **S 1323**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Kellogg, Moyle, Roberts, Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1323**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1439, as amended in the House, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall **S 1439**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass,

Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.
 NAYS -- Barrett, McKague, Smith(24). Total -- 3.
 Absent and excused -- Bauer, Kellogg, Moyle, Trail.
 Total -- 4.
 Total -- 70.

Whereupon the Speaker declared **S 1439**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

H 520, as amended in the Senate, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 520**, as amended in the Senate, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- Barrett, McKague. Total -- 2.

Absent and excused -- Bauer, Bedke, Boe, Jones, Trail.
 Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 520**, as amended in the Senate, passed the House. Title was approved and the bill was referred to Judiciary, Rules, and Administration Committee for enrolling.

H 800, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **H 800**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie,

Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 62.

NAYS -- Martinez. Total -- 1.

Absent and excused -- Bauer, Bedke, Boe, Crow, Deal, Jones, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **H 800**, as amended, passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **HCR 56** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HCR 56** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Boe, Crow, Deal, Gagner, Jones, Trail, Wills. Total -- 9.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HCR 56** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Raybould and Mr. Stevenson to open debate.

The question being, "Shall **HCR 56** be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford,

Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Deal, Schaefer, Smith(24), Trail, Wills. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **HCR 56** adopted and ordered the resolution transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **SCR 132** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **SCR 132** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Boe, Crow, Deal, Gagner, Jones, Trail, Wills. Total -- 9.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **SCR 132** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Langhorst to open debate.

The question being, "Shall **SCR 132** be adopted?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Sayler,

Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 56.

NAYS -- Barrett, Eberle, Harwood, Kulczyk, McGeachin, Roberts, Rydalch, Sali. Total -- 8.

Absent and excused -- Bauer, Bedke, Deal, Schaefer, Smith(24), Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **SCR 132** adopted and ordered the resolution returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1393**, as amended, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1393**, as amended, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Boe, Crow, Deal, Gagner, Jones, Trail, Wills. Total -- 9.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1393**, as amended, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Clark to open debate.

The question being, "Shall **S 1393**, as amended, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger,

Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 64.

NAYS -- None.

Absent and excused -- Bauer, Black, Collins, Mitchell, Moyle, Trail. Total -- 6.

Total -- 70.

Whereupon the Speaker declared **S 1393**, as amended, passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1389** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1389** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wood, Mr. Speaker. Total -- 61.

NAYS -- None.

Absent and excused -- Bauer, Bedke, Boe, Crow, Deal, Gagner, Jones, Trail, Wills. Total -- 9.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1389** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Meyer to open debate.

The question being, "Shall **S 1389** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bedke, Bell, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Langhorst, Martinez, McGeachin, Meyer, Miller, Mitchell, Naccarato, Nielsen, Pasley-Stuart, Ridinger, Ring, Ringo, Roberts, Robison, Rydalch, Sayler, Schaefer, Shepherd,

Shirley, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Mr. Speaker. Total -- 55.

NAYS -- Barrett, Crow, Kulczyk, Langford, McKague, Raybould, Sali, Wood. Total -- 8.

Absent and excused -- Bauer, Black, Ellsworth, Lake, Moyle, Skippen, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared **S 1389** passed the House. Title was approved and the bill was ordered returned to the Senate.

Mr. Denney moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused -- Bauer, Trail. Total -- 2.

Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney asked unanimous consent that **S 1444**, as amended in the House, be placed on General Orders for consideration. There being no objection, it was so ordered.

Mr. Harwood moved that he be allowed to change his vote on **SCR 132** from "NAY" to "AYE". Seconded by Mr. Bayer.

Whereupon the Speaker declared the motion carried by voice vote, and the revised roll call for **SCR 132** resulted as follows:

AYES -- Andersen, Barraclough, Bayer, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Denney, Douglas, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Henbest, Jaquet, Jones, Kellogg, Lake, Langford, Langhorst, Martinez, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Robison, Sayler, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 57.

NAYS -- Barrett, Eberle, Kulczyk, McGeachin, Roberts, Rydalch, Sali. Total -- 7.

Absent and excused -- Bauer, Bedke, Deal, Schaefer, Smith(24), Trail. Total -- 6.

Total -- 70.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Denney moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Ms. Jaquet. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Moyle in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Report of the Committee of the Whole House

March 19, 2004

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **S 1444**, as amended in the House, and report it back without recommendation, amended as follows:

HOUSE AMENDMENT TO HOUSE AMENDMENT TO S 1444

AMENDMENT TO THE AMENDMENT TO SECTION 9

On page 6 of the printed amendment, in line 1, following "granted." insert: "A public charter school or the authorized chartering entity may enter into negotiations to revise its charter at any time.".

AMENDMENT TO THE AMENDMENT

On page 7 of the printed amendment, delete lines 1 through 3 and insert:

"AMENDMENT TO THE BILL

On page 13, delete lines 16 through 19, and renumber the subsequent section accordingly."

AMENDMENT TO THE CORRECTION TO TITLE

On page 7 of the printed amendment, in line 7, delete "and in" and insert: "in"; also in line 7, following "THE" insert: "; in line 31, delete "GOVERNING EFFECT UPON EXISTING PUB-"; and in line 32, delete "LIC CHARTER SCHOOLS;".

MOYLE, Chairman

Mr. Moyle moved that the report be adopted. Seconded by Mr. Denney.

Whereupon the Speaker declared the report adopted.

S 1444, as amended in the House, as amended in the House, was filed for first reading.

The amendments were referred to Judiciary, Rules, and Administration committee for printing.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 19, 2004

Mr. Speaker:

I transmit herewith enrolled **S 1232**, as amended, **S 1279**, as amended, as amended in the House, **S 1283**, **S 1288**, **S 1289**, **S 1292**, **S 1350**, as amended, **S 1373**, as amended, **S 1391**, **S 1416**, **S 1438**, and **S 1440** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1232**, as amended, **S 1279**, as amended, as amended in the House, **S 1283**, **S 1288**, **S 1289**, **S 1292**, **S 1350**, as amended, **S 1373**, as amended, **S 1391**, **S 1416**, **S 1438**, and **S 1440** and, when so signed, ordered them returned to the Senate.

March 19, 2004

Mr. Speaker:

I return herewith enrolled **H 521**, **H 488**, **H 619**, **H 482**, as amended, **H 670**, **H 585**, **H 633**, **H 669**, **H 768**, **H 560**, as amended in the Senate, **H 473**, as amended in the Senate, **H 627**, **H 706**, **H 604**, as amended, **H 570**, **H 654**, **H 684**, **H 564**, **H 587**, as amended, **H 727**, **H 658**, **H 697**, **H 677**, **H 683**, **H 783**, **H 784**, **H 785**, **H 786**, **H 724**, **HJM 20**, **HJM 22**, **HCR 54**, **HJM 21**, **HJM 25**, **HJM 23**, as amended, **HJM 24**, **H 789**, **H 790**, **H 791**, **H 792**, **H 793**, **H 794**, **H 818**, **H 819**, **H 822**, **H 823**, **H 824**, and **H 795** which have been signed by the President.

WOOD, Secretary

Enrolled **H 521**, **H 488**, **H 619**, **H 482**, as amended, **H 670**, **H 585**, **H 633**, **H 669**, **H 768**, **H 560**, as amended in the Senate, **H 473**, as amended in the Senate, **H 627**, **H 706**, **H 604**, as amended, **H 570**, **H 654**, **H 684**, **H 564**, **H 587**, as amended, **H 727**, **H 658**, **H 697**, **H 677**, **H 683**, **H 783**, **H 784**, **H 785**, **H 786**, **H 724**, **H 789**, **H 790**, **H 791**, **H 792**, **H 793**, **H 794**, **H 818**, **H 819**, **H 822**, **H 823**, **H 824**, and **H 795** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 20**, **HJM 22**, **HCR 54**, **HJM 21**, **HJM 25**, **HJM 23**, as amended, and **HJM 24** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Report of Standing Committees

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 843**, **H 844**, **H 845**, **H 846**, and **H 847** and House Amendments to **S 1444**, as amended in the House.

FIELD(18), Chairman

H 844 was referred to the Local Government Committee.

H 843, **H 845**, **H 846**, and **H 847** were filed for second reading.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 520**, as amended in the Senate.

FIELD(18), Chairman

The Speaker announced he was about to sign enrolled **H 520**, as amended in the Senate, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 528**, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate, **H 745**, as amended in the Senate, and **H 755**, as amended in the Senate.

FIELD(18), Chairman

H 528, as amended in the Senate, **H 539**, as amended in the Senate, **H 603**, as amended in the Senate, **H 780**, as amended in the Senate, **H 544**, as amended, as amended in the Senate, **H 745**, as amended in the Senate, and **H 755**, as amended in the Senate, were filed for first reading of engrossed bills.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration **S 1446** and recommend that it do pass.

SCHAEFER, Chairman

S 1446 was filed for second reading.

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration **S 1417** and **SJM 110** and recommend that they do pass.

STEVENSON, Chairman

S 1417 and **SJM 110** were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1444, as amended in the House, as amended in the House, by Finance Committee, was introduced, read the first time by title, and filed for second reading.

First Reading of Engrossed Bills

H 528, as amended in the Senate, by Business Committee, was introduced, read the first time by title and filed for second reading.

H 539, as amended in the Senate, and **H 755**, as amended in the Senate, by State Affairs Committee, were introduced, read the first time by title and filed for second reading.

H 603, as amended in the Senate, by Education Committee, was introduced, read the first time by title and filed for second reading.

H 780, as amended in the Senate, by Revenue and Taxation Committee, was introduced, read the first time by title and filed for second reading.

H 544, as amended, as amended in the Senate, by Environmental Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 745, as amended in the Senate, by Ways and Means Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **S 1444**, as amended in the House, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1444**, as amended in the House, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Moyle.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Jones, Kellogg, Kulczyk, Lake, Langford, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Nielsen, Raybould, Ridinger, Ring, Robison, Rydalch, Sali, Schaefer, Shepherd, Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 56.

NAYS -- Andersen, Boe, Douglas, Henbest, Jaquet, Langhorst, Naccarato, Pasley-Stuart, Ringo, Saylor, Smith(30). Total -- 11.

Absent and excused -- Bauer, Roberts, Trail. Total -- 3.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1444**, as amended in the House, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time Mr. Denney took the Chair.

At this time, the Speaker Pro Tem recognized Mrs. Rydalch to open debate.

The question being, "Shall **S 1444**, as amended in the House, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Barraclough, Barrett, Bauer, Bayer, Bedke, Bell, Black, Block, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Harwood, Kellogg, Kulczyk, Lake, Langford, McGeachin, McKague, Meyer, Miller, Moyle, Nielsen, Raybould, Ring, Roberts, Rydalch, Sali, Schaefer, Shirley, Skippen, Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 52.

NAYS -- Andersen, Boe, Henbest, Jaquet, Jones, Langhorst, Martinez, Mitchell, Naccarato, Pasley-Stuart, Ridinger, Ringo, Robison, Saylor, Shepherd, Smith(30), Trail. Total -- 17.

Absent and excused -- Mr. Speaker. Total -- 1.

Paired Votes:

AYE -- Collins.	NAY -- Trail.
AYE -- Harwood.	NAY -- Mitchell.
AYE -- Deal.	NAY -- Jones.
AYE -- Bauer.	NAY -- Naccarato.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1444**, as amended in the House, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 521, H 488, H 619, H 482**, as amended, **H 670, H 585, H 633, H 669, H 768, H 560**, as amended in the Senate, **H 473**, as amended in the Senate, **H 627, H 706, H 604**, as amended, **H 570, H 654, H 684, H 564, H 587**, as amended, **H 727, H 658, H 697, H 677, H 683, H 783, H 784, H 785, H 786, H 724, H 789, H 790, H 791, H 792, H 793, H 794, H 818, H 819, H 822, H 823, H 824**, and **H 795** to the Governor at

4:25 p.m., as of this date, March 19, 2004.

FIELD(18), Chairman

March 19, 2004

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 20, HJM 22, HCR 54, HJM 21, HJM 25, HJM 23**, as amended, and **HJM 24** to the Secretary of State at 4:33 p.m., as of this date, March 19, 2004.

FIELD(18), Chairman

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

At this time, the Speaker returned to the Chair.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **HJM 27** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **HJM 27** be read the first time by title, second time by title, and third time at length, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Saylor, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Edmunson, Field(23), Harwood, Jones, Ridinger, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **HJM 27** was read the first time by title, second time by title, and third time at length, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Cuddy to open debate.

The question being, "Shall **HJM 27** be adopted?"

Whereupon the Speaker declared **HJM 27** adopted by voice vote and ordered the memorial transmitted to the Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 843** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 843** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Edmunson, Field(23), Harwood, Jones, Ridinger, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 843** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Bell to open debate.

The question being, "Shall **H 843** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ridinger, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bauer, Harwood, Jones, Trail. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 843** passed the House. Title was approved and the bill was ordered transmitted to the

Senate.

Mr. Denney moved that all rules of the House interfering with the immediate consideration of **H 845** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 845** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Edmunson, Field(23), Harwood, Jones, Ridinger, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 845** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Wood to open debate.

At this time, Mr. Denney took the Chair.

Mrs. Wood asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 845**. There being no objection, it was so ordered.

The question being, "Shall **H 845** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydallch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 60.

NAYS -- None.

Absent and excused -- Bauer, Bradford, Campbell, Edmunson, Harwood, Jones, Ridinger, Smith(24), Trail, Mr. Speaker. Total -- 10.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 845** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 846** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 846** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Edmunson, Field(23), Harwood, Jones, Ridinger, Trail. Total -- 7.
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 846** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Wood to open debate.

The question being, "Shall **H 846** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 60.

NAYS -- Henbest. Total -- 1.

Absent and excused -- Bauer, Bradford, Campbell, Edmunson, Harwood, Jones, Ridinger, Trail, Mr. Speaker. Total -- 9.
Total -- 70.

Whereupon the Speaker Pro Tem declared **H 846** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 847** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 847** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Edmunson, Field(23), Harwood, Jones, Ridinger, Trail. Total -- 7.
Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 847** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bolz to open debate.

The question being, "Shall **H 847** pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Kellogg, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson,

Wills, Wood. Total -- 61.

NAYS -- Kulczyk. Total -- 1.

Absent and excused -- Bauer, Edmunson, Harwood, Jones, Ridinger, Roberts, Trail, Mr. Speaker. Total -- 8.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 847** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **S 1293**, as amended in the House, be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **S 1293**, as amended in the House, be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Bell, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Douglas, Eberle, Ellsworth, Eskridge, Field(18), Gagner, Garrett, Henbest, Jaquet, Kellogg, Kulczyk, Lake, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison, Rydalch, Sali, Sayler, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Wills, Wood, Mr. Speaker. Total -- 63.

NAYS -- None.

Absent and excused -- Bauer, Edmunson, Field(23), Harwood, Jones, Ridinger, Trail. Total -- 7.

Total -- 70.

Whereupon the Speaker Pro Tem declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **S 1293**, as amended in the House, was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Garrett to open debate.

The question being, "Shall **S 1293**, as amended in the House, pass?"

Roll call resulted as follows:

AYES -- Andersen, Barraclough, Barrett, Bayer, Bedke, Black, Block, Boe, Bolz, Bradford, Campbell, Cannon, Clark, Collins, Crow, Cuddy, Deal, Denney, Eberle, Ellsworth, Field(18), Field(23), Gagner, Garrett, Henbest, Jaquet, Jones, Kellogg, Kulczyk, Langford, Langhorst, Martinez, McGeachin, McKague, Meyer, Miller, Mitchell, Moyle, Naccarato, Nielsen, Pasley-Stuart, Raybould, Ring, Ringo, Roberts, Robison,

Rydalch, Sali, Schaefer, Shepherd, Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Wills, Wood. Total -- 58.

NAYS -- Douglas, Eskridge, Sayler. Total -- 3.

Absent and excused -- Bauer, Bell, Edmunson, Harwood, Lake, Ridinger, Smith(24), Trail, Mr. Speaker. Total -- 9.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1293**, as amended in the House, passed the House. Title was approved and the bill was ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Saturday, March 20, 2004. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 6:19 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk